Case	ase 8:21-ap-01096-SC Doc 149 Filed 03/05/25 Entered 03/05/25 09:59:30 Desc Main Document Page 1 of 5		
1 2 3 4 5 6 7 8	Janine Jasso P.O. Box 370161 El Paso, TX 79937 E-Mail: Plaintiff, IN PRO PER	ANKRUPTCY COURT	
9 10	CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION		
11 12 13	In Re: JAMIE LYNN GALLIAN	CASE NO. 8:21-bk-11710-SC Chapter 7 Adversary No. 8:21-ap-01096-SC	
14 15 16 17 18 19 20 21 22 23 24	JANINE JASSO, an individual, Plaintiff, v. JAMIE LYNN GALLIAN, an individual; J-PAD, LLC, a California Limited Liability Company, J-Sandcastle Co LLC, a California Limited Liability Company, and DOES 1 through 100, inclusive, Defendants.	MOTION TO CONTINUE STATUS CONFERENCE TO CONSERVE COURT RESOURCES Current Status Conference Hearing: March 11, 2025 Time: 1:30 p. m. Courtroom: 5C – Virtual New Status Conference Hearing: TBD Time: 1:30 p.m. Courtroom: 5C – Virtual -ZoomGov access info provided in Court tentative ruling	
252627	TO THE HONORABLE SCOTT CLARKSON, UNITED STATES BANKRUPTCY JUDGE, DEFENDANT AND TO ALL PARTIES ENTITLED TO RECEIVE NOTICE:		
28	1 MOTION TO CONTINUE STATUS CONFERENCE		

This Motion to Continue Status Conference to Conserve Court Resources (the "Motion") is filed by Plaintiff, Janine Jasso ("Plaintiff"). This Motion is made with reference to the following recitals:

RECITALS

- 1. On or about July 9, 2021, Jamie Lynn Gallian ("Debtor") filed a voluntary petition under Chapter 7 of the Bankruptcy Code.
- 2. On October 18, 2021, Plaintiff filed a Complaint (the "Complaint"). The adversary proceeding was commenced pursuant to Rules 7001(4) and (6) of the Federal Rules of Bankruptcy Procedure and 11 U.S.C. §§ 523(a)(7) and 523(a)(2)(A) and 727(a)(3), (a)(4), and (a)(5) (the "Adversary Proceeding").
- 3. On December 19, 2022, the Court granted Plaintiff's motion for partial summary judgment for Plaintiff's 11 U.S.C. §§ 523(a)(7) cause of action related to the Debtor Jamie Lynn Gallian's criminal conviction and the Orange County Superior Court's criminal restitution order that Debtor owes Plaintiff [DOC 84 & 85]. On April 17, 2023, the Debtor's appeal was dismissed, thus making this Court's partial summary judgment final. See USDC Case No. 8:23-cv-00122-PA, Dk 10, Dated April 17, 2023.
- 4. On January 28, 2023, in compliance with the Court's orders, Plaintiff timely filed and served the Second Amended Complaint ("SAC"), which is the operative pleading with the same causes of action listed in the Complaint [DK 107].
- 5. On February 20, 2023, Debtor neither timely filed nor served a responsive pleading to the SAC. Therefore, on February 25, 2023, Plaintiff moved the Court for Entry of Default [DKs 119, 120].
- 6. On February 25, 2023, the Clerk of the Court entered the Default of Debtor [DK 121] and served it on Debtor. Debtor never filed or served any further legal pleadings per the Bankruptcy Court code and local rules to request the Default be set aside or leave to file or serve a proper responsive pleading.

- 1 7. On May 23, 2023, in Houser Bros. Co. v. Gallian, Adv. No. 8:21-ap-01097-SC, 2 the Court entered judgment for Houser Bros. Co. and against Debtor for denial of discharge 3 under 11 U.S.C. §§ 727(a)(2)(A), (a)(4), and (a)(5). The judgment was affirmed on appeal on 4 July 31, 2024 (Doc #131). The Debtor did not timely file any further appeal, making the July 5 31, 2024 District Court judgment final. Thus, Debtor can no longer oppose and win against 6 Plaintiff's adversary claims. 7 After trying many times to meet with the Bankruptcy Clinic attorneys to learn 8. 8 the proper procedure was regarding requesting costs for my adversary case. I learned from this 9 Court on or about January 13, 2025 that a final judgment must be issued by this Court first. 10
 - 9. On February 11, 2025, I filed my unopposed motion for default judgment against Debtor based on the Court's previous granting of partial summary judgment in my favor under Bankruptcy Code Section 523(a)(7), regarding the nondischargeable criminal restitution judgment I received from the State of California criminal court imposed on Debtor as part of Debtor's criminal sentence [DK 147]. I am requesting the costs of suit only, as I am pro se Plaintiff. [DK 147, 148]. I have provided detailed declarations regarding the costs I have incurred in this case in order to protect my right to collect the California State criminal court's nondischargeable victim restitution judgment.
 - 10. As of today, the Court has not made a ruling regarding my unopposed motion for default judgment and bill of costs. Therefore, I respectfully request a continuance of the March 11, 2025 status conference hearing to give the Court time to review and make its decision.
 - 11. This motion does not constitute a waiver of any rights.

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Main Document Page 4 of 5 WHEREFORE, based on the foregoing recitals, Plaintiff requests the hearing on the Status Conference to be continued to April 22, 2025 or to a date the Court deems appropriate. DATED: March 3, 2025 In Pro Per MOTION TO CONTINUE STATUS CONFERENCE

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Case, 8:21-ap-01096-SC

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 7101 N. Mesa, Ste 355 El Paso, TX 79912 A true and correct copy of the foregoing document entitled (specify): Motion to Continue Status Conference to Conserve Court Resources will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below: 1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (date) I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below: See NEF for confirmation of electronic transmission to the U.S. trustee, any trustee in this case, and to any attorneys who received service by NEF. Service information continued on attached page 2. SERVED BY UNITED STATES MAIL: , I served the following persons and/or entities at the last known addresses in this On (date) 3/4/2025 bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed. **DEBTOR AND DEFENDANT** JAMIE LYNN GALLIAN 16222 MONTEREY LANE, SPC 376 **HUNTINGTON BEACH, CA 92649** Service information continued on attached page 3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (date) _3/4/2025 the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed. The Honorable Scott Clarkson, USBC 411 West Fourth Street, Courtroom 5C Santa Ana, CA 92701

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Service information continued on attached page

3-4-2025

Date

Courtesy Copy via email: Eric Isreal, Esq., epi@lnbyg.com

David Jasso

Printed Name